

INTERGOVERNMENTAL VACATION ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6 (a) of the 1970 Constitution of the State of Illinois and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Chicago Board of Education of the City of Chicago, a body politic and corporate (CPS), owns the properties commonly known as 3400-3424 East 134th Street, 13336-13346 South Avenue "O", and 3401-3425 East 134th Street; and

WHEREAS, the Chicago Board of Education proposes to utilize the portion of the alley to be vacated pursuant to this ordinance to serve their existing school and playground at this location; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of public use and the public interest to be subserved is such as to warrant the vacation of the public alley described below; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The Commissioner of the Chicago Department of Transportation (the "Commissioner"), or any of the Commissioner's designees, is each hereby authorized and directed to approve a vacation of the easternmost section of the 16' wide east-west alley in the block bounded by E. 133rd Street, S. Avenue "O", E. 134th Street, and S. Green Bay Avenue, as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as **Exhibit A** (CDOT File: 31-10-24-4086) which, for greater certainty, is hereby made a part of this ordinance. The legal description of the to-be-vacated public right of way, and the property index numbers and addresses of the properties adjacent to the to-be-vacated public right of way, are attached hereto as **Exhibits B** and **C**, respectively, and incorporated by this reference.

SECTION 2. The vacation herein provided for is made under the express condition that the Chicago Board of Education, and its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacation.

SECTION 3. The vacation herein provided for is further made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Chicago Board of Education shall file or cause to be filed for recordation with the Office of the Clerk of Cook County, Illinois, Recordings Division, a fully stamp-approved, certified copy of this ordinance, together with the similarly approved associated full-sized plat as authorized by the Superintendent of Maps and Plats.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and publication. The vacation shall take effect and be in force from and after the recording of the published ordinance and approved plat.

Vacation Approved:

A handwritten signature in cursive script, appearing to read "Thomas Carney", is written over a light gray rectangular background.

Thomas Carney
Commissioner
Department of Transportation

Introduced By:

A handwritten signature in cursive script, appearing to read "Peter Chico", is written over a light gray rectangular background.

Honorable Peter Chico
Alderman, 10th Ward

CDOT File Number:

31-10-24-4086